

a judgment pursuant to a Stipulation of Settlement between Plaintiff and Defendants County of St. Lawrence and Robert O. McNeil, as Treasurer of the County of St. Lawrence; and the Court having read plaintiff's Notice of Motion, dated November 29, 2006, the affidavit of plaintiff's attorney, Edward M. Connell, Esq., sworn to November 29, 2006, and the Amended Stipulation of Settlement between Plaintiff and Defendants County of St. Lawrence and Robert O. McNeil, as Treasurer of the County of St. Lawrence, dated April 23, 2007; and due deliberation having been given thereto;

NOW, on motion of Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C., Edward M. Connell Esq., of counsel, attorneys for the Plaintiff, it is

ORDERED, that Plaintiff's motion to drop Defendant Danielle Bigelow as a party defendant in this action and discontinue the action as against her pursuant to Fed. R.Civ. P. 41(a)(2) be, and the same is hereby granted in all respects; and it is further

ORDERED, that Plaintiff's motion for judgment by default against Defendant, John Robert Bigelow pursuant to Fed. R.Civ. P. 55(b)(2), be, and the same is hereby granted in all respects; and it is further

ORDERED, ADJUDGED AND DECREED, that Defendants, County of Saint Lawrence and Robert O. McNeil, as Treasurer of the County of Saint Lawrence, failed to provide adequate notice to Plaintiff of the *in rem* tax lien foreclosure proceeding and

Plaintiff's right to redeem the mortgaged premises from the lien of the unpaid taxes, thereby depriving Plaintiff of its property without due process of law; and it is further

ORDERED, ADJUDGED AND DECREED, that the Deed from Robert O. McNeil to County of St. Lawrence, recorded on September 28, 2005 as Instrument #2005-00015283 be, and the same hereby is CANCELLED as against the parcel of real property designated and commonly known as Tax Map Parcel 21.003-1-62, 123 Buck Road, Town of Waddington, County of St. Lawrence and State of New York, and being more particularly described in Exhibit "A" annexed hereto (hereinafter the "mortgaged premises"); and it is further

ORDERED, ADJUDGED AND DECREED, that the Deed from the County of St. Lawrence to John R. Bigelow and Danielle M. Bigelow, recorded on October 11, 2005 as Instrument #2005-00017549 be, and the same hereby is CANCELLED *in toto*; and it is further

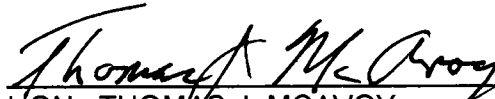
ORDERED, ADJUDGED AND DECREED, that the Clerk of the County of St. Lawrence is commanded to cancel the aforesaid Deeds to the extent directed herein; and it is further

ORDERED, ADJUDGED AND DECREED, that Defendants, County of Saint Lawrence and Robert O. McNeil, as Treasurer of the County of Saint Lawrence, shall promptly execute and cause to be filed a Certificate of Redemption of the mortgaged

premises pursuant to §§1110(3) of the New York Real Property Tax Law; and it is further

ORDERED, ADJUDGED AND DECREED, that the Clerk of the County of St. Lawrence is commanded to file a copy of this Judgment and Order in the real property records of St. Lawrence County and to index the same as against all of the defendants herein.

DATED: May 2, 2007


HON. THOMAS J. MCAVOY
Senior United States District Court Judge

ENTER:

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Waddington, County of St. Lawrence, State of New York and being more precisely described as follows: BEGINNING at an iron pipe lying in the West bounds of Buck Road right-of-way, leading from Route 37A to County Road No. 89, said pipe bears N. 58 deg. 37' 01" W. 139.66 feet from an iron pipe which is the Northwest corner of lot 35 of Maple Grove Subdivision Section 5 and N. 43 deg. 14' 53" W., 637.20 feet from the center of a forty foot bridge crossing Big Sucker Brook; and S. 01 deg. 39' 39" E. 114.56 feet from an iron pipe lying southeast of a cattle-guard; thence S. 58 deg. 06' 48" W. 198.66 feet to an iron pipe; thence S. 58 deg. 06' 48" W. 77.00 feet plus or minus to the centerline of Big Sucker Brook; thence S. along the centerline of Big Sucker Brook as it winds and turns to where Big Sucker Brook intersects said Buck Road, also being the center of a forty foot bridge; thence, northwesterly along the centerline of said Buck Road to a point; thence S. 58 deg. 06' 48" W. 30.00 feet to the point of beginning.

THE PREMISES ARE MORE MODERNLY DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Waddington, County of St. Lawrence, State of New York and being more precisely described as follows: BEGINNING at a nail found at the point of intersection of the centerline of Buck Road with the centerline of Big Sucker Brook, said point also being in the center of a 40 foot bridge; thence upstream along the centerline of Big Sucker Brook a distance of 1027 feet \pm as it winds and turns with said centerline having the following tie chords: South 31 deg. 00' 22" West a distance of 32.29 feet to a point in the said centerline; thence South 35 deg. 01' 08" West a distance of 123.42 feet to a point in the said centerline; thence North 86 deg. 41' 52" West a distance of 129.59 feet to a point in the said centerline; thence North 57 deg. 06' 44" West a distance of 298.50 feet to a point in the said centerline; thence North 12 deg. 32' 23" West a distance of 293.91 feet to a point in the said centerline; thence North 33 deg. 10' 44" West a distance of 134.50 feet to a point in the said centerline; thence North 69 deg. 25' 09" East a distance of 58.00 feet to a found iron pipe; thence continuing North 69 deg. 25' 09" East a distance of 227.97 feet to an iron pipe found in the westerly right-of-way line of Buck Road said course passing through a found iron pipe at 30.29 feet; thence continuing North 69 deg. 25' 09" East a distance of 30.01 feet to a P-K nail found in the centerline of Buck Road; thence southerly along the centerline of Buck Road as it curves to the left a distance of 636 feet \pm said centerline chord bearing of South 29 deg. 16' 34" East and a distance of 632.08 feet to the POINT OF BEGINNING.

SUBJECT TO the rights of the public in and to that portion of Buck Road which may be a part of the described premises.

SUBJECT TO the rights of the public in and to Big Sucker Brook.